

**BUREAU OF LAND MANAGEMENT
YUMA FIELD OFFICE
2555 E. Gila Ridge Rd.
Yuma, AZ 85365**

CATEGORICAL EXCLUSION (CX) FORM

CX AZ-320-2005-0001

Case/Project No.: AZA 28841

PROJECT NAME: *Assignment from El Paso Natural Gas to Arizona Department of Public Safety*

TECHNICAL REVIEW:

(T)	Program	Reviewer	Signature	Date
	Air Quality			
	ACEC			
T	Botanical including T & E Spp.	K. Reichhardt	/S/	3/1/05
	Communications (Dispatch)			
T	Cultural/Paleontology	S. Arnold	/S/	5/31/05
	Energy Policy			
	Environmental Justice			
	Farmlands (Prime & Unique)			
	Floodplain			
T	Hazardous Material	S. Fusilier	/S/	6/1/05
T	Invasive & Non-Native Species	K. Reichhardt	/S/	3/1/05
T	Lands/Realty	A. Lopez	/S/	3/1/05
	Land Law Examiner			
	Law Enforcement			
	Minerals			
	Native American Religious Concerns			
	Operations			
	Range Management			
	Recreation			
	Soils			
	Surface Protection			
	Visual Resources			
	Water Rights			
	Water Quality (Surface & Ground)			
	Wetlands/Riparian Zones			
	Wild & Scenic Rivers			
	Wilderness			
	Wild Horses/Burros			
T	Wildlife including T & E Spp.	K. Reichhardt	/S/	3/1/05

Prepared by: /S/

Date: 3/1/05

Arturo Lopez
Realty Specialist

Reviewed by: /S/

Date: 6/3/05

Karen Reichhardt
Acting Planning & Environmental Coordinator

Reviewed by: /S/

Date: 6/3/05

Thomas F. Zale
Assistant Field Manager

Name of Project: *Assignment from El Paso Natural Gas to Arizona Department of Public Safety*

Number: AZ-320-2005-0001

Case File No.: *AZA 28841*

Location (legal description):

Gila and Salt River Meridian, La Paz County, Arizona
T. 3 N., R. 20 W.,
sec. 29, portion of SW¹/₄.

The area described contains 0.026 acre approximately.

Applicant: *Arizona Department of Public Safety*

Description of Proposed Action:

On June 14, 1995, right-of-way AZA 28841 was granted to El Paso Natural Gas (EPNG) for a communications use facility to be used as a radio relay station at the Cunningham Peak communication site for a 25-year term. On July 3, 1997, EPNG amended their right-of-way authorization to encompass the area previously authorized to them under right-of-way grant AZA 5308 which was terminated on July 3, 1997.

By application filed on July 26, 2004, Arizona Department of Public Safety (DPS) requested assignment of the right-of-way grant AZA 28841. EPNG has agreed to assign to DPS the above mentioned authorization. DPS has 1) filed the required Standard Form 299; 2) agreed to be bound by the terms and conditions contained in the right-of-way grant AZA 28841, and 3) paid the required nonrefundable filing fee of \$50.00 for the assignment. On May 6, 2003, a compliance inspection was conducted of communications use lease AZA 28841 and the following issue was identified: 1) Debris within the existing right-of-way needs to be cleared. DPS is aware of the above described issue and would resolve the issue once the assignment is approved. No new facilities would be constructed; operation, use and maintenance of communications tower, related facilities and equipment would remain the same as currently authorized under the current holder's right-of-way grant. No new road construction would be authorized. Rental would be determined in accordance with 43 CFR 2803.1-2(d). The assignment would be authorized for the remainder term of the right-of-way grant. Right-of-way grant, AZA 28841, expires June 13, 2025.

Categorical Exclusion Reference: 516 DM 6, Appendix 5.4: E(9) – Renewals and assignments of leases, permits, or rights-of-way where no additional rights are conveyed beyond those granted by the original authorizations.

Required Stipulations: Arizona Department of Public Safety has agreed to be bound by the terms and conditions contained in the right-of-way grant AZA 28841.

Compliance and Monitoring Responsibility: YFO, Lands

Compliance inspections would be conducted regularly to verify that the holder complies with the stipulations, terms and conditions set forth in right-of-way grant AZA 28841.

Decision:

BLM has determined that the proposal conforms to the land use plan, is in accordance with the categorical exclusion criteria, and that it will not involve any significant adverse environmental effects. Therefore, it is categorically excluded from further environmental review. The Proposed Action will have no effect on the President's Energy Policy and a Statement of Adverse Energy Impact is not required. The proposed action will be implemented subject to the stipulations within the authorizing document.

Approved by: /S/ _____
Rebecca Heick
Yuma Field Manager

Date: 6/6/05 _____

Categorical Exclusion Review

Department of the Interior Departmental Manual 516 2.3.A(3) provides for a review of the following categorical exclusion criteria to determine if exceptions apply to this project. The following exceptions apply to individual actions within categorical exclusions (CX). Environmental documents must be prepared for actions which may:

CRITERIA	YES	NO
1 Have significant adverse effects on public health or safety.	_____	__X__
2 Have adverse effects on such unique geographic characteristics as historic or cultural resources, park, recreation or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farmlands, wetlands, floodplains, or ecologically significant or critical areas including those listed on the Department's National Register of Natural Landmarks.	_____	__X__
3 Have highly controversial environmental effects.	_____	__X__
4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.	_____	__X__
5 Establish a precedent for future action or represent a decision in principle about a future actions with potentially significant environmental effects.	_____	__X__
6 Be directly related to other actions with individually insignificant but cumulatively significant environmental effects.	_____	__X__
7 Have adversely affects on properties listed or eligible for listing in the National Register of Historic Places.	_____	__X__
8 Have adverse effects on species listed or proposed to be listed on the List of Endangered or Threatened Species or have adverse effects on designated Critical Habitat for these species.	_____	__X__
9 Require compliance with Executive Order 11988 (Floodplain Management), Executive Order 1190 (Protection of Wetlands), or the Fish and Wildlife Coordination Act.	_____	__X__
10 Threatens to violate a Federal, State, local, or tribal law or requirement imposed for the protection of the environment.	_____	__X__